



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/332,298      | 06/11/1999  | YASUSHI ABE          | 31812               | 2750             |

116 7590 03/10/2004

PEARNE & GORDON LLP  
1801 EAST 9TH STREET  
SUITE 1200  
CLEVELAND, OH 44114-3108

EXAMINER

NGUYEN, NAM V

ART UNIT PAPER NUMBER

2635

DATE MAILED: 03/10/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/332,298

Applicant(s)

ABE, YASUSHI

Examiner

Nam V Nguyen

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24 is/are allowed.
- 6) ☒ Claim(s) 25-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This communication is in response to applicant's response to Response "D" which is filed December 19, 2003.

Claims 1-28 are pending.

### ***Response to Arguments***

Applicant's arguments to the rejected claims 25-28 are insufficient to distinguish the claimed invention from the cited prior arts or overcome the rejection of said claims under 35 U.S.C § 103(a) as discussed below. Applicant's arguments have been fully considered but they are not persuasive for at least the following reasons.

On page 2, second paragraph, Applicant's arguments that neither Vanden Heuvel, Helferich nor Murai teaches or suggests to erase concerned messages collectively is not persuasive.

The pager transceiver of Helferich teaches that when a valid message received by a selective call receiver, the pager transceiver CPU performs house keeping functions (column 10 lines 1 to 18). The user selects one of the functions to be performed from available functions such as retrieve, erase or save message (column 10 lines 19 to 30; see Figure 8). Helferich further discloses that the user selects a function to be performed from available functions 112 to 117. These functions are exemplary functions that may be available and additional functions may exist. One or more of these functions are preferably selected through the user interface 3. One or more messages may be selected by the user to be forwarded to one or a plurality of or recipients at step 112. Items such as messages and send message lists may be selected by scrolling through

Art Unit: 2635

the message number or name. The selected messages for forwarding may reside at the paging transceiver 100 or at the system 30. The user may also select the function of saving a selected message at step 113. At step 114, selected messages are retrieved for reproduction and/or storage. At step 115, messages may be sent to one or a plurality of recipients, such as to another paging transceiver 100. At step 116, the selected message may be erased and at step 117, a reply may be sent to the originator of a selected message. With any of the functions selected at steps 112 to 117, the system 30 may act upon the entire information or, alternatively, may instead operate on only the message identifier. For instance, if the user selected the desired action of forwarding a message, the system 30 may send the entire message to a designated recipient or may instead send just the message identifier. Clearly, Helferich discloses that erase message function erases the selected messages.

Furthermore, Helferich disclose that the status information may contain information corresponding to messages stored within the paging transceiver 100 or within the system 30. For example, if the system 30 erases a message that has resided in its memory for too long a period of time, such as an unsaved, read message, the system 30 may inform the paging transceiver 100 that the message no longer exists. If the message identifier stored in the paging transceiver 100 no longer corresponds to a message stored in the system 30 or in the paging transceiver 100, the CPU 27 removes the identifier for the no-longer existing message. Clearly, Helferich discloses that concerned messages are erase collectively with message identifiers by the CPU. Therefore, Helferich teaches or suggests "erasing concerned messages collectively".

The examiner maintains that the references cited and applied in the last office actions for the rejection of the claims are maintained in this office action.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vanden Heuvel et al. (US# 5426,424) in view of Helferich (US# 6,259,892).

Referring to claim 25, Vanden Heuvel et al. disclose a message erasing method comprising the steps of:

Receiving a radio signal from a base station of a radio paging system (column 1 lines 11 to 15; see Figure 1);

Picking up one calling address or a plurality of calling addresses assigned to own receiver from the radio signal being received (column 4 lines 26 to 33);

Picking up message data corresponding to the calling address or the calling addresses (column 4 lines 48 to 52);

Storing the message data picked up (column 4 lines 48 to 52);

Designating character sequences in stored messages (column 5 lines 60 to 63);

Detecting whether or not designated character sequences are contained in stored messages (column 5 lines 63 to 66); and

However, Vanden Heuvel et al. did not explicitly disclose that erasing concerned messages collectively when designated character sequences are contained in the stored messages. Vanden Heuvel et al. disclose erasing designated data bases upon receiving an add/delete selective call message (column 9 lines 65 to 68).

In the same field of endeavor of radio paging receiver, Helferich teaches that the erasing means (116; see Figures 8 and 9) to erase concerned messages collectively (201; see Figure 11) when designated character sequences are contained in the stored messages (column 10 lines 19 to 44; column 11 lines 35 to 48; see Figures 8-11) in order to erase the selected message by a erase message function and to erase message resided in memory for a certain period of time.

One skill in the art would have recognized to erase selected concerned messages collectively of Helferich in erasing designated data bases upon receiving an add/delete selective call message of Vanden Heuvel et al. because Vanden Heuvel et al. suggest that the need to modify a time that set by a user to delete old messages in the memory is so desired (column 8 lines 42 to 63) and Helferich teaches that using an erase function to erase selected messages that the paging transceiver is received from the base station and the user to program the paging transceiver to erase messages by retrieving all messages with a message identifier of a data message at a particular time or set an expire time (column 10 lines 36 to 44; column 11 lines 35 to 48) in order to improve memory space and efficiency. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to erase selected concerned messages collectively of Helferich in erasing designated data bases upon receiving an add/delete selective call message of Vanden Heuvel et al. with the motivation being to provide a

Art Unit: 2635

radio pager transceiver capable of erasing the messages collectively and at programmable intervals that is set by users to save the memory space and operating efficiency.

Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanden Heuvel et al. (US# 5426,424) in view of Helferich (US# 6,259,892) and further in view of Murai (US# 5,239,679.)

Referring to claims 26-28, Vanden Heuvel et al. in view of Helferich disclose a radio paging receiver according to claim 25 above. However, Vanden Heuvel in view of Helferich did not clearly disclose wherein the messages are erased collectively concerned messages.

In the same field of endeavor of selective call receiver, Murai teaches that the messages are erased collectively concerned messages (column 3 lines 43 to 55) for the purpose of erasing the selectively stored messages.

One skill in the art would have recognized the need to modify the way to erase the messages in memory selectively by using the input section of Murai to the selective call receiver of Vanden Heuvel et al. in view of Helferich because Vanden Heuvel et al. suggests that the need to erase the messages in memory selectively is so desired and Murai teaches that pager holder has preset the message-erasing time of "00:00," all message codes stored in the message memory, except for those containing a data-preserving flag, are automatically erased at the preset message-erasing time (column 10 lines 21 to 29). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the way to erase the messages in memory selectively by using the input section of Murai into the selective

Art Unit: 2635

call receiver of Vanden Heuvel et al. in view of Helferich with the motivation that a selective call receiver capable of erasing the collectively concerned messages of the user choice and providing the memory has more space to store other messages.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.



Art Unit: 2635

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen  
February 24, 2004



MICHAEL HORABIK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

